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Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

DANIEL LEVIN; MARIA LEVIN; PARK
LANE ASSOCIATES, L.P.; THE SAN
FRANCISCO APARTMENT
ASSOCIATION; and THE COALITION FOR
BETTER HOUSING,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO,

Defendant.

Case No. 14-cv-03352-CRB

**DEFENDANT CITY AND COUNTY OF SAN
FRANCISCO'S ADMINISTRATIVE MOTION
FOR LEAVE TO FILE SUPPLEMENTAL
OPPOSITION TO MOTION FOR
TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION;**

[PROPOSED] ORDER

Hearing Date: August 22, 2014
Time: 10:00 a.m.
Before: The Honorable Charles R. Breyer
Courtroom 6, 17th Floor

Trial Date: None Set

1 Pursuant to Local Rules 7-3(d) and 7-11, Defendant City & County of San Francisco
2 respectfully requests permission to file the supplemental material, attached as Exhibit A to the
3 accompanying Declaration of Christine Van Aken, in opposition to Plaintiffs' motion for a temporary
4 restraining order and preliminary injunction.

5 The reason for this request is to update the Court concerning factual developments that have
6 occurred since the City filed its opposition brief on August 15, 2014, which are material to the motion.
7 Specifically: Plaintiffs sought emergency injunctive relief on an extremely short briefing schedule,
8 with a hearing set for August 22, 2014, because Park Lane Associates, L.P. received notice that its
9 tenants in Unit 704 intended to move on August 24, 2104 and requested their relocation assistance
10 payment upon moveout. The City's counsel learned on the evening of August 19, 2014 that the
11 tenants in Unit 704 in fact moved out on August 16, 2014, but Park Lane did not pay their relocation
12 assistance payment at that time.

13 On August 20, the City's counsel conferred with Plaintiffs' counsel concerning this
14 administrative motion. On August 21, Plaintiffs' counsel informed the City's counsel that he objects
15 to this administrative motion. He states that he does not mind the City's bringing the facts concerning
16 Unit 704 to the attention of the Court but objects to the City's presentation of these facts and the
17 suggestion that the new developments mitigate the harm faced by Plaintiffs.

18 Dated: August 21, 2014

DENNIS J. HERRERA
City Attorney

20 By: /s/Christine Van Aken
21 CHRISTINE VAN AKEN

22 Attorneys for Defendant
23 CITY AND COUNTY OF SAN FRANCISCO
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[PROPOSED] ORDER

For good cause shown, the Court hereby gives Defendant leave to file the supplemental material attached as Exhibit A to the Declaration of Christine Van Aken in opposition to Plaintiffs' motion for temporary restraining order and preliminary injunction.

Dated: _____, 2014

By: _____
HON. CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE